

Town of Mashpee

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Planning Board Minutes 03-20-2013

Mashpee Planning Board
Minutes of Meeting
March 20, 2013 at 7:00 p.m.
Selectmen's Meeting Room, Mashpee Town Hall
Approved 4/3/13

Planning Board Members Present: Chairman Mary Waygan, David Kooharian, Dennis Balzarini, Joe Cummings, George Petersen

Also Present: Tom Fudala-Town Planner, Charles Rowley-Consultant Engineer, Tom O'Hara-Selectman

Absent: Joe Mullin

CALL TO ORDER

The Town of Mashpee Planning Board meeting was opened with a quorum in the Waquoit Meeting Room at Mashpee Town Hall by Chairman Waygan at 7:00 p.m. on Wednesday, March 20, 2013 and the Pledge of Allegiance was recited.

APPROVAL OF MINUTES—March 6, 2013

Chairman Waygan noted that the meeting on April 6 has been re-scheduled for 11:30 a.m. instead of 11 a.m.

MOTION: Mr. Balzarini made a motion to accept the minutes as written. Mr. Kooharian seconded the motion. All voted unanimously.

SPECIAL PERMIT

Applicant: Southport on Cape Cod Condominium Association, Inc.

Location: Southport retirement condos

Request: Modification of special permit site plans regarding community center parking lot expansion

Mr. Fudala reported that Mr. Bonvie was seeking additional changes to the plan.

Applicant: Southworth Mashpee Properties, LLC

Location: 110 Willowbend Drive

Request: Modification of Special Permit site plans regarding sports and fitness complex / pool area

Mr. Fudala stated that the Board previously determined that the request did not require a public hearing. Kevin Lewis, the new General Manager, represented Willowbend in their request to the Board. Mr. Lewis stated that the project was a simple one featuring a pavilion and future pergola for the convenience of their members and guests.

In addition, Willowbend wished to remodel the former lifeguard station booth into an ice cream and coffee shop.

Mr. Lewis confirmed that the existing awning would be removed for a more permanent structure. Mr. Lewis also noted that the pergola was not intended to be built immediately. Mr. Lewis also highlighted the coffee bar and ice cream area. Mr. Cummings reported that Design Review had some questions regarding the bathroom remodel, which have been addressed by relocating the sink, and the pergola was located too close to the roadway. Mr. Lewis responded that Willowbend was willing to accept a variance in order to build the pergola. Mr. Fudala confirmed that two conditions were added to the Design Review decision and included a Board of Health review and variance for the pergola. There were no additional questions from Board members. Mr. Fudala read the draft decision and conditions, as represented in Planning Board Decision, Willowbend Special Permit, Modification No. 28, and noted that there was no need for a public hearing since the modifications were less than a 10% increase and would not impact abutters.

MOTION: Mr. Balzarini made a motion to accept the Willowbend Special Permit Modification No. 28. Mr. Kooharian seconded the motion. All voted unanimously.

The decision was signed by the Board and the plan was signed by the Chair. The Board then took a five minute recess in order for Mr. Fudala to print copies of the decision.

Applicant: Mashpee Industrial Realty, LLC

Location: 168 Industrial Drive, Assessors' Map 88, Parcel 35

Request: Signature of Special Permit Modification decision - Board voted to approve with conditions on 3-6-13

Board members reviewed Planning Board Decision, Mashpee Industrial Realty LLC, Special Permit Modification #4. Mr. Fudala noted that the condition regarding conforming to the expired Cape Cod Commission Development Agreement had been removed. Mr. Fudala stated that only one member of the Board needed to sign the Decision.

MOTION: Mr. Balzarini made a motion that the Chair will sign Special Permit Modification #4 for Mashpee Industrial Realty, LLC. Mr. Kooharian seconded the motion. All voted unanimously.

COMPREHENSIVE PLAN

Land Use & Growth Management-Finalized during the previous meeting.

BOARD ITEMS

Old Business

Discussion of Medical Marijuana Moratorium Article and Confirmatory Vote Regarding Moratorium Expiration Date Voted by Selectmen-The Chair referenced Article 18 in the Town Meeting Warrant. The Chair summarized that the Board had unanimously voted to recommend the Article, submitted by both the Planning Board and Board of Selectmen, with a moratorium date of January 1, 2015. Selectman O'Hara reported that the Board of Selectmen voted to change the moratorium date to October 21, 2013, the next Town Meeting, because Massachusetts and Mashpee voters chose to support the legislation. Selectman O'Hara stated that drafted state guidelines were expected by the end of March and it was confirmed that the final version of the guidelines was expected in May. The Planning Board would need to work on the issue prior to the October meeting.

MOTION: Mr. Balzarini made a motion to accept the Warrant Article as amended by the Board of Selectmen. Mr. Kooharian seconded the motion. All voted unanimously.

It was noted that a public hearing would be scheduled to review the issue. Selectman O'Hara will discuss with the Board of Selection the need to develop a committee to assist with medical marijuana regulations planning.

MOTION: Mr. Balzarini made a motion to schedule a public hearing for the marijuana issue on April 17 at 7:10 p.m. Mr. Kooharian seconded the motion. All voted unanimously.

Discussion of Greenways Proposal and Surrounding Commercial Property-Chairman Waygan reported that the meeting on April 6 will begin at 11:30 in the events room of the Mashpee Library for a short presentation prior to walking the trail leading to Mashpee High School. Chairman Waygan wishes to provide the Phase 1 map and brochure to meeting attendees. A meeting announcement has been sent by email to interested parties. Mr. Fudala stated that the meeting has been posted so a quorum will be necessary.

MMR Military Civilian Community Council/MMR Joint Land Use Study (JLUS)-

There was no new update.

Design Review Committee-Mr. Cummings attended the meeting and previously reported about the Willowbend project. In addition, Mr. Fudala reported that Cross Fit, looking to develop a property on Rt. 28, provided tentative site plans but indicated that it would be a tight fit with steep slopes. The project would be less than 10,000 square feet but will be reviewed by the Planning Board. In addition, Mashpee Commons has proposed a Farmers Market which would result in the closure of North Street from Central Square to CVS on Saturdays.

Additionally, a request for a very large 24 hour fitness sign at Deer Crossing will need to be recalculated to determine how much signage would be allowable for the site. The ZBA Chair has suggested an amendment to the sign bylaw to prevent one business from using the entire signage allotment.

Community Preservation Committee-Special Town Meeting will take place at the high school on Monday, May 6 at 7 p.m.

Environmental Oversight Committee-Mr. Petersen reported that Chief George Baker addressed the issues of Mashpee preplanning for town emergencies as well new developments in working with MEMA and Entergy regarding the Pilgrim Nuclear Power Plant at the last EOC meeting. Article 26 on the Warrant requests a shutdown of Pilgrim due to safety issues.

Historic District Commission-Mr. Fudala reported that a request was expected in order to add wood shed to the schoolhouse.

New Business

Schedule Public Hearing Date for Medical Marijuana Zoning Article-Motion made, seconded and approved during Old Business discussion.

Warrant Article 19-Mr. Fudala referenced Article 19 regarding Willowbend's relocation of Simons Road which intended to be submitted by the Board of Selectmen but has been listed as being submitted by the Planning Board. Mr. Fudala stated that the request would need to be reviewed by the Planning Board although it would not require a public hearing. Mr. Petersen inquired about the request as being submitted by the Planning Board, but never voted on by the Planning Board. Mr. Fudala stated that the Board of Selectmen had voted 5-0 to recommend approval and the Planning Board would need to vote to recommend it. It was noted that information had been provided in the last packet and it was decided that the issue will be considered at the next meeting. Mr. Fudala suggested that the subdivision plan, which is related to the street relocation, would be considered at the next meeting and the Board may wish to first review the project before deciding upon the Article. Mr. Fudala will inquire with Town Counsel whether amendments could be accepted from the floor.

WATERWAYS LICENSES

- Greg Bush, 55 Santuit Lane to maintain an existing dock in Santuit Pond

CORRESPONDENCE

-Whitewater, Inc., January 2013 SouthCape Village WWTP monitoring report, N=7.4

-WBNERR – Invitation to 1st Annual Cape Coastal Conference, June 13-14, 2013

-Affordable Housing Committee – Flyer for April 17 Mashpee Affordable Housing Information Session

-Eco-Toilet Presentation on April 5-Mr. Fudala will forward additional information.

ADJOURNMENT

MOTION: Mr. Balzarini made a motion to adjourn. Mr. Kooharian seconded the motion. All voted unanimously. The meeting adjourned at 8:13 p.m.

Respectfully submitted,

Jennifer M. Clifford
Board Secretary

LIST OF DOCUMENTS

-Planning Board Decision, Willowbend Special Permit, Modification No. 28

-Plans for Southworth Mashpee Properties, LLC

-Planning Board Decision, Mashpee Industrial Realty LLC, Special Permit Modification #4

-Mashpee Planning Board Agenda for Saturday, April 6 at 11:30 a.m.

-Special Town Meeting Warrant

-State of the Cape, Save the Date

-Mashpee Affordable Housing Information Session